

December 3, 2004
IMMEDIATE RELEASE

THIS IS NOT AN OFFICIAL STATEMENT
OF THE COURT, BUT IS SOLELY FOR
THE CONVENIENCE OF THE PRESS.

IN THE SUPREME COURT OF THE STATE OF IDAHO
Docket No. 29990

KOOTENAI MEDICAL CENTER,

Plaintiff-Appellant,

v.

BONNER COUNTY COMMISSIONERS,

Defendants-Respondents.

)
)
) **Coeur d'Alene October 2004**
)
) **2004 Opinion No. 127**
)
) **Filed: December 3, 2004**
) **Frederick C. Lyon, Clerk**
)
)

Appeal from the District Court of the First Judicial District,
State of Idaho, Bonner County. Hon. John Thomas
Mitchell, District Judge.

District court order affirming Bonner County
Commissioners' decision that Kootenai Medical Center
wrongfully admitted and failed to initiate involuntary
commitment proceedings against voluntary patient,
reversed.

Paine, Hamblen, Coffin, Brooke & Miller, Coeur d'Alene,
for appellant. Michael B. Hague argued.

John R. Topp, Sandpoint, argued for respondent.

The Idaho State Supreme Court reversed a district court decision affirming the Board of Bonner County Commissioners' decision denying indigent assistance for services rendered to a voluntarily admitted indigent, mental health patient. An indigent female resident of Bonner County voluntarily admitted herself to the North Idaho Behavioral Health Unit of Kootenai Medical Center on two separate occasions. Her cost of care was approximately \$26,000. Each time the patient was admitted Kootenai Medical Center filed applications with Bonner County for county indigent assistance. Both applications were denied by the County for the reason the applicant was not medically indigent, Bonner County was not the last resource, or the application was

untimely filed. Bonner County also argued that voluntary mental health services are the responsibility of the State of Idaho and that the applicant had sufficient discretionary income to retire the debt owed over a three-year time period. Kootenai Medical Center appealed to the Bonner County Commissioners and the Commissioners approved payment on both applications for the first three days of care but denied payment for the remaining days of care. Under that formula, Bonner County paid approximately \$4,285.25. Kootenai Medical Center filed a petition for judicial review with the district court appealing the denial of further payment, but the district court affirmed the decision of the Bonner County Commissioners. Kootenai Medical Center timely appealed the district court's decision affirming the order denying payment.

In a decision authored by Justice Burdick, the Idaho Supreme Court unanimously ruled the Bonner County Commissioners failed to find a reason why the Kootenai Medical Center should have refused admission to this patient pursuant to I.C. § 66-318(b). The Court held the Commissioners' finding that she was an involuntary patient was clearly erroneous. The Idaho Supreme Court ruled that pursuant to I.C. § 66-320, once a patient is voluntarily admitted to a facility, judicial proceedings need not be initiated unless the patient has asked to be released or the person who admitted the patient asks for their release and the director feels the patient is a danger to herself or others. Therefore, having properly accepted and admitted this patient as a voluntary patient, Kootenai Medical Center could not initiate involuntary commitment proceedings against her because she did not ask to leave the facility. The Court ruled the only legal duty attributable to Kootenai Medical Center is when a voluntary patient asks for her release and the director feels the patient is a danger to herself or others. The decision of the Bonner County Board of Commissioners that Kootenai Medical Center should have initiated involuntary judicial proceedings against this voluntarily admitted patient was therefore inconsistent with the statute. The Idaho Supreme Court denied Kootenai Medical Center's request for attorney fees pursuant to the private attorney general doctrine as well as I.C. § 12-117.